

WATER DISTRICT 34
P. O. BOX 53
MACKAY, IDAHO 83251

May 13, 2013

Gary Spackman, Director
Idaho Department of Water Resources
P. O. 83720
Boise, Idaho 83720-0098

RE: Commitment to Mitigation Pursuant to IDAPA 37.03.12.050

Dear Director Spackman,

The Water District 34 Advisory Committee met on May 9, 2013 to review and discuss Nick Miller's letter of May 2, 2013 informing groundwater users of the request for mitigation pursuant to (Rule 50). The advisory committee unanimously decided to commit to and facilitate the mitigation plan as described in (Rule 50) for groundwater users within Basin 34. The advisory committee also recommended amending the 2013 WD budget by assessing participating groundwater users \$100,000.00 for the costs of acquiring water supplies for mitigation purposes. It is understood water users who elect not to participate in this basin-wide mitigation plan of providing 6,110 acre feet to augment the natural flow may "opt-out" by submitting their alternative mitigation plan to you by May 31, 2013, and they will continue to be responsible for their proportionate share of the mitigation burden.

Following the meeting scheduled to be held on May 23, 2013, for groundwater users to discuss the proposed plan, it is anticipated the watermaster and advisory committee will meet to review offers and negotiate terms for the acquisition of water supplies that will subsequently be made available to the watermaster to augment the river flow as described in (Rule 50). The advisory committee has requested Nick Miller provide some further guidance regarding what you might accept as actual mitigation from managed recharge, storage water, natural flow, and additional groundwater supplies that will subsequently be injected into the river, canals, or laterals as provided by (Rule 050.04.c.iii.). Knowing this information will be essential in determining the value of the various water supplies, their availability, best location(s), and appropriate timing of introducing such water supplies into the system based on available resources. It is our expectation the acquired mitigation supplies will begin to be made available for augmentation purposes as early as June 1, 2013. A more complete and detailed plan will be forwarded to you prior to that date.

Best Regards,

